

REMARKS

Favorable reconsideration of the present application is respectfully requested.

Claims 1 and 6 have been amended to clarify that the automatic stop condition comprises a condition other than completion of the warm-up operation for the engine. Similarly, Claim 2 has been amended to clarify that the automatic stop condition comprises a condition other than a completion of a cool-down operation for the engine. Basis for this is evident from the specification, and is further described in the paragraph bridging pages 5-6.

Applicants wish to thank Examiner Castro for the courtesy of an interview on May 29, 2008, at which time the outstanding rejections were discussed, as were claim amendments of the present response. At the conclusion of the interview, the Examiner indicated that the amended claims define over the prior art of record and would be allowable, subject to an updated search.

As was discussed during the interview, the invention according to the feature of Claim 1 performs an automatic stop control only after completion of a warm-up operation for the engine, in which the automatic stop condition is not itself the completion of the warm-up operation. Claim 2 recites a feature whereby the control means performs the automatic stop control only after completion of a cool-down period, in which the automatic stop condition is not itself the completion of the cool-down period. Claim 6 also recites automatic stop control wherein the automatic stop condition comprises a condition other than the completion of the warm-up operation of the engine, and subsequently restarts the engine when a warm-up necessity is detected.

Claims 1, 6 and 7 had been rejected under 35 U.S.C. § 102 as being anticipated by U.S. patent 4,421,075 (Mandel). However, as was discussed during the interview, Mandel automatically shuts off the engine in the case of overheating (column 6, lines 7-11), without regard to warm-up detection.

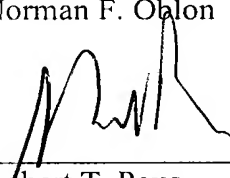
Claims 2-5 were rejected under 35 U.S.C. § 102 as being anticipated by U.S. patent 4,648,364 (Wills). However, as was discussed during the interview, the shutdown circuit 20 of Wills will shut down the engine based upon a time out of the warm-up or cool-down timers, or a safety shutdown in the alternative based upon the separate inputs to gate 131, but does not delay an automatic stop until after completion of a cool-down period. It was therefore agreed that the claims are not anticipated by this prior art.

Concerning the rejection of Claims 9-19 as being obvious over Mandel in view of Wills, in view of the shortcomings of Mandel and Wills individually against the independent claims, it is respectfully submitted that no combination of these references render obvious the subject matter of the dependent claims 9-19.

Applicants therefore believe that the present application is in a condition for allowance and respectfully solicit an early Notice of Allowability.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Ohlon



Robert T. Pous
Registration No. 29,099
Attorney of Record

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413-2220
(OSMMN 06/04)

I:\ATTY\RTPI\275020US-AM.DOC